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BEFORE THE BOARD OF MEDICAL EXAMINERS

IN THE STATE OF ARIZONA

In the Matter of:

ROBERT CASTILLO, M.D.

Holder of License No. 11036
For the Practice of Medicine
In the State of Arizona.

Investigation No.13692

FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND ORDER
(Letter of Reprimand)

INTRODUCTION

This matter was considered by the Arizona Board of Medical Examiners ("Board") at its public meeting on June 22, 2000. Robert Castillo, M.D. appeared before the Board for the purpose of the Board conducting a formal interview pursuant to the authority vested in the Board by A.R.S. § 32-1451(G). After due consideration of the facts and law applicable to this matter, the Board voted, at its public meeting of August 23, 2000, to issue the following Findings of Fact, Conclusions of Law and Order for disposition of this matter.

FINDINGS OF FACT

1. The Board is the duly constituted authority for the regulation and control of the practice of medicine in the State of Arizona.
2. Robert Castillo, M.D. is holder of Board License No. 11036 for the practice of medicine in the State of Arizona

3. Board Investigation No. 13692 was initiated after an office practice survey of patient records revealed that Dr. Castillo had treated patients for general medical diagnoses contrary to a previously entered probationary order in Board Investigation No. 11411 which limited his practice to psychiatry.

4. A report from Dr. Jess A. Miller M.D., a proctor overseeing Dr. Castillo's practice submitted a quarterly report pursuant to the probationary order entered in No. 11411 on Dec. 23rd 1999. This report indicated that three patients were treated by Dr. Castillo for problems which were outside the scope of psychiatry.

5. An office practice survey conducted by Richard Zonis M.D., Chief Medical Consultant to BOMEX identified three patients who were treated by Dr. Castillo for problems outside the scope of psychiatry.

CONCLUSIONS OF LAW

1. The Board possesses jurisdiction over the subject matter hereof and over Dr. Castillo, pursuant to A.R.S. § 32-1401 et seq.

2. The conduct and circumstances described above in paragraphs 3 through 5 constitute unprofessional conduct pursuant to A.R.S. § 32-1401(25):

(r) i.e., violating a formal order, probation, consent agreement or stipulation issued or entered into by the board or its executive director under the provisions of this chapter.

1 **ORDER**

2 Based on the foregoing Findings of Fact and Conclusions of Law,

3 IT IS HEREBY ORDERED that:

4 A letter of reprimand be issued to Dr. Castillo for the aforementioned
5 unprofessional conduct.
6

7 IT IS FURTHER ORDERED that:

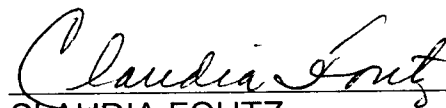
8 The probation originally ordered in Board Investigation No. 11411 is
9 extended for a period of two years from the date of this order and the terms are:

- 10 A. Dr. Castillo shall limit his practice to psychiatry and shall not perform
11 general medicine.
12
- 13 B. Within six (6) to twelve (12) months from the date of this order, Board
14 staff shall conduct a prospective review of his records and report their
15 findings to the Board.
- 16 C. In addition, Board staff shall conduct random audits of Dr. Castillo's
17 office to review his prescribing habits. These audits shall be a
18 prospective review.
19
- 20 D. Dr. Castillo shall maintain his Board approved proctor, at his expense,
21 to oversee the prescribing of Schedule II medications, and Dr. Castillo
22 shall instruct the proctor to submit quarterly reports to the Board.
- 23 E. The Board retains jurisdiction to take further action based upon the
24 reports it receives from Board staff regarding the office review and
25 random audits, and the proctor's quarterly reports.

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Dr. Castillo is further notified that the filing of a petition for rehearing is required to preserve any rights of appeal of this order to the Superior Court that he may wish to pursue, pursuant to A.R.S § 41-1092.09(B).

BOARD OF MEDICAL EXAMINERS
OF THE STATE OF ARIZONA



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1 Original of the foregoing filed this
2 30 day of August, 2000 with:
3 Arizona Board of Medical Examiners
4 9545 East Doubletree Ranch Road
5 Scottsdale, AZ 85258
6 Executed copy of the foregoing
7 mailed by U.S. certified mail this
8 30 day of August, 2000, to:
9 Robert Castillo, M.D.
10 515 W. Buckeye Rd.
11 Ste. 206
12 Phoenix, AZ 85003
13 Executed copy of the foregoing
14 mailed this 30 day of
15 August, 2000, to:
16 Debra A. Hill
17 Osborn Maledon PA
18 PO Box 36379
19 Phoenix, AZ 85067
20 (Counsel for Dr. Castillo)
21 Copy of the foregoing hand-delivered this
22 30 day of August, 2000, to:
23 Rick Albrecht
24 Arizona Board of Medical Examiners
25 9545 East Doubletree Ranch Road
Scottsdale, AZ 85258
(Counsel for the Board)
Amade Ricci